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DETAILED ACTION

Claim Objections

1. Claims 7-19 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim can only depend from another claim in the alternative, and, multiple dependent claims cannot depend from multiple dependent claims. Claim 7 does refer back in the alternative. Claims 8-10 depend therefrom. Claim 11 does not refer back in the alternative, and also depends from claim 9. Claims 12 and 13 depend therefrom. Claim 14 does not refer back in the alternative and also depends from 7 and 11. Claims 15-18 depend from other multiple dependent claims. Claim 19 depends from 18. See MPEP § 608.01(n). Accordingly, the claims not been further treated on the merits. **Examiner notes a thorough review of the complete electronic file was performed, but no preliminary claim amendment could be located.**

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kelly et al. US 5,443,175.

Regarding claim 1, Kelly '175 teaches a container body (2a), opening (3), and securement means (20) to secure a cap (4).

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Regarding claim 2, the securement means (20) is disposed on internal surface (19).

Regarding claim 3, the reference teaches cap (4).

Regarding claim 4, the cap (4) includes securement means (17).

Regarding claim 5, the securement means is on the circumferential exterior of the cap as shown in Figure 2.

Regarding claim 6, the securement means is on a plug portion (16).

Regarding claim 20, the container (2a) is "substantially" the container of the disclosed invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES N. SMALLEY whose telephone number is (571)272-4547. The examiner can normally be reached on Monday - Friday 11 am - 7:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on (571) 272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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